

USSN 09/620,248

Final Office Action dated: December 27, 2004

Response dated: March 24, 2005

Page 13 of 13

**REMARKS/ARGUMENTS**

Claim Amendments are made to cancel claims 38-41 and 45 without prejudice.

In paragraph 3 of the Detailed Action the Examiner has rejected claims 38 to 41 and 45 under 35 U.S.C. 101 as being directed to non-statutory subject matter. We disagree with the examiners characterization, but in order to secure allowance of the application, we will pursue the rejected claims in a continuation application. Accordingly, the rejected claims have been cancelled without prejudice

As the remaining claims are allowed, allowance of this application is earnestly solicited.

If the Examiner has any questions or concerns, please contact the undersigned (and please note the change of representation).

Respectfully submitted,

Evert E. DEBOER et al

By: 

Jeffrey M. Measures  
Reg. No. 40,272  
Borden Ladner Gervais LLP  
World Exchange Plaza  
100 Queen Street, Suite 1100  
Ottawa, ON K1P 1J9  
CANADA  
Tel: (613) 237-5160  
Fax: (613) 787-3558  
E-mail: [ipinfo@blgcanada.com](mailto:ipinfo@blgcanada.com)

JMM/sum